



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,450	01/26/2001	Holger Faulhammer	A-2573	5606

7590

08/12/2002

LERNER AND GREENBERG, P.A.  
Post Office Box 2480  
Hollywood, FL 33022-2480

EXAMINER
----------

NGUYEN, ANTHONY H

ART UNIT	PAPER NUMBER
----------	--------------

2854

DATE MAILED: 08/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/771,450

Applicant(s)

FAULHAMMER ET AL. *mc*

Examiner

Anthony H Nguyen

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### *Drawings*

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the sensors for recording and passing operating parameters to data processing elements (claims 6 and 7) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

### *Specification*

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-18 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Specifically, the structure of the compensation elements for compensating for speed differences and positional errors or the steps of determining a difference in speed and a positional error of the printed sheet on the transfer cylinder between two printing unit groups is not provided (claims 1-4, 13 and 14).

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2854

Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-18 are a functional recitation of a desired mode of operation without the recitation of structure to provide the desired operation. For examples, claims 1-4 lines 5-9, there is no structure for the compensation elements which compensates for the sheet transfer error or for the speed differences. How the positional errors or the speed differences are compensated, or how the step of determining a difference in speed between two decoupled printing units (claim 13) are unclear. Also, it is unclear how the drives in the two printing units are decoupled and assigned (claims 1-4).

The above are simply examples of the errors present. Applicant is required to carefully review the claims and eliminate all such errors.

To the extent the claims are positively recited structure, it appears that the following prior art rejection is proper.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Grützmacher et al. (US 5,481,971).

Grützmacher et al. teaches a printing machine which meets the structure as broadly recited in the claims. Grützmacher et al. teaches a plurality of mutually mechanically decoupled printing unit groups having transfer cylinders and compensation elements including a

microcomputer 4, sensors 3 and drive motors 2 for compensating the speeds differences and positional errors as shown in Figs.1 and 3-5. See Grützmacher et al., col.3 lines 56-67.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 and 7 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Grützmacher et al. (US 5,481,971).

Grützmacher et al. teaches a printing machine having substantially the structure as claimed. See the explanation of Grützmacher et al. above. Grützmacher et al. fails to teach clearly the sensors used in the printing unit group. However, it would have been obvious to one of ordinary skill in the art to use conventional sensors such as the charge coupled switching elements, photosensors electronic and electromagnetic sensors corresponding to a printing press configuration to permit more precise control of the speeds and positional errors if in fact Grützmacher et al. does not teach the sensors as claimed.

Claims 8-10 and 12-18 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Grützmacher et al. (US 5,481,971) in view of Fricke et al.(US 5,390,601).

Grützmacher et al. teaches a printing machine having substantially the structure as claimed. See the explanation of Grützmacher et al. above. Grützmacher et al. fails to teach clearly the compensation elements which include a gripper system on

the transfer cylinder. However, Fricke et al. teaches the compensation elements which includes a gripper system having an actuator 7,11, a gripper bar and gripper pad 4,5 for picking up printed sheets, a motor-actuated positioning drive 18 and a regulator 19 for controlling the positioning drive. In view of the teaching of Fricke et al., it would have been obvious to one of ordinary skill in the art to modify the printing press of Grützmacher et al. by providing a gripper system as taught by Fricke et al. to improve the efficiency of transferring printed sheets from one unit printing groups to another unit printing groups. With respect to claims 13-18, the combination of Grützmacher et al. and Fricke et al. renders the method as recited since the combination teaches the steps of determining a difference in speed between printing units and displacing a gripper system during the sheet transfer, determining a positional error of the printed sheet which is transferred. See Grützmacher et al. , Fig.5 and Fricke et al., Figs.1 and 2.

### *Conclusion*

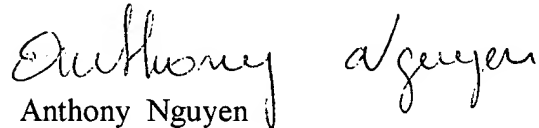
The patents to Fricke et al. (US 5,596,929), Ruh, Kowalewski et al. and Pfishtere et al. are cited to show other structures and methods having obvious similarities to the claimed structure and methods.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (703) 308-2869. The examiner can normally be reached daily from 9 AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (703) 305-6619. The fax phone number for this Group is (703) 308-7722.

Art Unit: 2854

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

A handwritten signature in cursive script, appearing to read "Anthony Nguyen".

Anthony Nguyen

8/8/02

Patent Examiner

Technology Center 2800